

AMENDMENT

IN THE CLAIMS:

Please cancel claims 21-25 and 30-47 as drawn to a non-elected invention. Please cancel claims 4-9, 17-20 and 52-53, without prejudice or disclaimer. Please amend claims 2, 3, 13-16, 27-29, 48-51, and 54-57 and add new claims 58-62 as follows (*see* the accompanying "marked up" version):

D¹ 2. (Amended) A method for detecting inactivation of a *CASP8* gene expression, comprising detecting the absence of expression of a *CASP8* protein.

D² 3. (Amended) The method according to claim 2, wherein the absence of expression of a *CASP8* protein is detected by a method selected from the group consisting of immunoassay and biochemical assay.

4-9. Canceled

11. (Unchanged) The method according to claim 51, wherein the cancer is a tumor in which a *myc* gene is amplified.

12. (Unchanged) The method according to claim 51, wherein the cancer is a neuroblastoma.

D³ 13. (Amended) A method for diagnosis or prognosis of a cancer comprising detecting inactivation of a *CASP8* gene expression, wherein said method comprises detecting the absence of expression of a *CASP8* protein.

D4
14. (Amended) The method according to claim 13, wherein the absence of expression of a CASP8 protein is detected by a method selected from the group consisting of immunoassay and biochemical assay.

D5
15. (Amended) A method for diagnosis or prognosis of a cancer comprising detecting inactivation of a *CASP8* gene expression, wherein said method comprises detecting a methylation of *CASP8* genomic DNA.

D6
16. (Amended) The method according to claim 15, wherein the methylation of *CASP8* genomic DNA is detected by methylation polymerase chain reaction (PCR) assay.

17-20. Canceled

27. (Amended) The kit of claim 55, wherein the detection assay is a polymerase chain reaction (PCR) assay.


D7
28. (Amended) The kit of claim 27, wherein the detection assay comprises oligonucleotide PCR primers for amplification of at least a part of *CASP8* genomic DNA.

29. (Amended) The kit of claim 27, wherein the detection assay comprises oligonucleotide PCR primers for amplification of at least a part of the 5' untranslated region of *CASP8* genomic DNA.

D8
48. (Amended) A method for detecting inactivation of a *CASP8* gene expression, comprising at least one assay selected from the group consisting of detecting a methylation of


CASP8 genomic DNA, detecting the absence of expression of a *CASP8* protein, and detecting the absence of a *CASP8* mRNA.

49. (Amended) A method for detecting inactivation of a *CASP8* gene expression, comprising detecting the absence of a *CASP8* mRNA.

 50. (Amended) The method according to claim 49, wherein the absence of a *CASP8* mRNA is detected by a method selected from the group consisting of Northern blotting and reverse transcriptase-polymerase chain reaction (RT-PCR) assay.

51. (Amended) A method for diagnosis or prognosis of a cancer comprising detecting inactivation of a *CASP8* gene expression, wherein said method comprises at least one assay selected from the group consisting of detecting a methylation of *CASP8* genomic DNA, detecting the absence of expression of a *CASP8* protein, and detecting the absence of a *CASP8* mRNA.

52-53. Canceled

 54. (Amended) The method according to claim 48, wherein the inactivation of a *CASP8* gene expression is selected from the group consisting of homozygous deletion, heterozygous deletion coupled with gene silencing by methylation, and homozygous gene silencing by methylation.

55. (Amended) A kit for detecting inactivation of a *CASP8* gene expression, comprising an assay for detecting a methylation of *CASP8* genomic DNA.

56. (Amended) A method for detecting inactivation of a *CASP8* gene expression, comprising detecting a methylation of *CASP8* genomic DNA.

57. (Amended) The method according to claim 56, wherein the methylation of *CASP8* genomic DNA is detected by methylation polymerase chain reaction (PCR) assay.

58. (New) The kit of claim 29, wherein the detection assay comprises oligonucleotide PCR primers for amplification of SEQ ID NO: 1 or SEQ ID NO: 2.

59. (New) The kit of claim 58, wherein the detection assay comprises at least one oligonucleotide PCR primer selected from the group consisting of SEQ ID NO: 29, SEQ ID NO: 30, SEQ ID NO: 31, SEQ ID NO: 32, SEQ ID NO: 33, and SEQ ID NO: 34.

60. (New) The method according to claim 56, wherein the methylation occurs in the 5' untranslated region of *CASP8* genomic DNA.

61. (New) The method according to claim 60, wherein the methylation occurs in sequences selected from the group consisting of SEQ ID NO: 1 and SEQ ID NO: 2.

62. (New) The method according to claim 57, wherein the PCR assay utilizes at least one of the primer sequences selected from the group consisting of SEQ ID NO: 29, SEQ ID NO: 30, SEQ ID NO: 31, SEQ ID NO: 32, SEQ ID NO: 33, and SEQ ID NO: 34.
